

07/10/01  
C885 U.S. Only  
P

UTILITY  
PATENT APPLICATION  
TRANSMITTAL

**Only for new nonprovisional applications under 37 CFR 1.53(b)**

*Attorney Docket No.* 2313-116

*First Inventor* Wei-Sing CHU

## Title **ULTRASOUND-MEDIATED HIGH-SPEED BIOLOGICAL REACTION & TISSUE PROCESSING**

JCG78 U.S. 9094 PTO

**Assignee Information:** American Registry of Pathology, Washington, D.C.

| APPLICATION ELEMENTS  |  | ADDRESS TO:   |
|---|--|---|
| See MPEP chapter 600 concerning utility patent application contents.  |  |   |
| 1. <input checked="" type="checkbox"/> Fee Transmittal Form<br><i>(Submit an original, and a duplicate for fee processing)</i>  |  | 7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program  |
| 2. <input checked="" type="checkbox"/> Applicant claims small entity status.  |  | 8. Nucleotide and/or Amino Acid Sequence Submission <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Form (CRF)</li> </ul>                                |
| 3. <input checked="" type="checkbox"/> Specification Total pages [47 ]<br><i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross references to Related Applications</li> <li>- Statement Regarding Fed sponsored R&amp;D</li> <li>- Reference to sequence listing, a table or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings</li> <li>- Detailed Description</li> <li>- Claims</li> <li>- Abstract of the Disclosure</li> </ul> |  | b. Specification Sequence Listing on: <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> |
| 4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113) (Total Sheets) [16 ]   |  | c. <input type="checkbox"/> Statement verifying identity of above copies  |
| 5. <input checked="" type="checkbox"/> Oath or Declaration (Total Pages) [ 3 ] <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d))<br/>           (for continuation/divisional with Box 17 completed)           <p style="text-align: center;"><b>[Note Box 5 below]</b></p> </li> </ul>  |  | <b>ACCOMPANYING APPLICATION PARTS</b>   |
| i <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br>Signed statement attached deleting inventor(s) named in the prior application,   |  | 9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))   |
| 6. <input checked="" type="checkbox"/> Application Data Sheet.  |  | 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement<br><i>(when there is an assignee)</i> <ul style="list-style-type: none"> <li><input type="checkbox"/> Power of Attorney</li> </ul>      |
| 17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below or in an application Data Sheet under 37 CFR 1.76:  |  |   |
| <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.: 09/407,964<br><i>Prior application information: Examiner C. Chin Group/Art Unit 1641</i>   |  |   |
| For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.  |  |   |

Customer Number or Bar Code Label **6449**

|           |  |           |                           |          |              |
|-----------|--|-----------|---------------------------|----------|--------------|
| Address   | Rothwell, Figg, Ernst & Manbeck<br>Suite 701-East, 555 13th Street, N.W. |           |                           |          |              |
| City      | Washington   | State     | D.C.                      | Zip Code | 20004        |
| Country   | U.S.A.   | Telephone | 202-783-6040              | Fax      | 202-783-6031 |
| Name      | Stephen A. Saxe, Ph.D., Reg. No. 38,609                                  |           |                           |          |              |
| Signature | <i>Stephen A. Saxe</i>   |           | Date <i>July 10, 2001</i> |          |              |

**FEE TRANSMITTAL  
for FY 2001  
(Small Entity)**

|                         |            | Complete if Known      |                 |
|-------------------------|------------|------------------------|-----------------|
|                         |            | Application Number     | New Application |
|                         |            | Filing Date            | Herewith        |
|                         |            | First Named Inventor   | Wei-Sing CHU    |
|                         |            | Examiner Name          | To Be Assigned  |
|                         |            | Group Art Unit         | To Be Assigned  |
| Total Amount of Payment | (\$485.00) | Attorney Docket Number | 2313-116        |

**METHOD OF PAYMENT** (check one)

- The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- Applicant claims small entity status.

2.  Payment Enclosed:

Check  
 Credit Card

**FEE CALCULATION** (continued)

**3. ADDITIONAL FEES**

| Fee Code | Fee Paid | Fee Description  | Fee Paid |
|----------|----------|--|----------|
| 205      | 65       | Surcharge - late filing fee or oath  | [ ]      |
| 227      | 25       | Surcharge - late provisional filing fee or cover sheet                     | [ ]      |
| 139      | 130      | Non-English specification  | [ ]      |
| 147      | 2,520    | For filing a request for reexamination                                     | [ ]      |
| 112      | 920      | Requesting publication of SIR prior to Examiner action                     | [ ]      |
| 113      | 1,840*   | Requesting publication of SIR after Examiner action                        | [ ]      |
| 215      | 55       | Extension for reply within first month                                     | [ ]      |
| 216      | 195      | Extension for reply within second month                                    | [ ]      |
| 217      | 445      | Extension for reply within third month                                     | [ ]      |
| 218      | 695      | Extension for reply within fourth month                                    | [ ]      |
| 228      | 945      | Extension for reply within fifth month                                     | [ ]      |
| 219      | 155      | Notice of Appeal   | [ ]      |
| 220      | 155      | Filing a brief in support of an appeal                                     | [ ]      |
| 221      | 135      | Request for Oral Hearing   | [ ]      |
| 138      | 1,510    | Petition to institute a public use proceeding                              | [ ]      |
| 240      | 55       | Petition to revive -unavoidable  | [ ]      |
| 241      | 640      | Petition to revive - unintentional   | [ ]      |
| 242      | 620      | Utility issue fee (or reissue)   | [ ]      |
| 243      | 220      | Design issue fee   | [ ]      |
| 244      | 300      | Plant issue fee  | [ ]      |
| 122      | 130      | Petitions to the Commissioner  | \$130.   |
| 123      | 50       | Processing fee under 37 CFR 1.17(q)  | [ ]      |
| 126      | 180      | Submission of Information Disclosure Statement                             | [ ]      |
| 581      | 40       | Recording each patent assignment per property (times number of properties) | [ ]      |
| 246      | 355      | Filing a submission after final rejection (37 CFR .129(a))                 | [ ]      |
| 249      | 355      | For each additional invention to be examined (37 CFR 1.129(b))             | [ ]      |
| 279      | 355      | Request for Continued Examination (RCE)                                    | [ ]      |
| 169      | 900      | Request for expedited examination of a design application                  | [ ]      |
| 195      | 300      | Publication fee for early, voluntary, or normal publication                | [ ]      |
| 196      | 300      | Publication fee for republication  | [ ]      |
| 089      | 200      | Filing an application for patent term adjustment                           | [ ]      |
| 090      | 400      | Request for reinstatement of term reduced                                  | [ ]      |
|          |          | Other fee (specify)  | [ ]      |

**FEE CALCULATION**

**1. FILING FEE**

| Fee Code | Fee    | Fee Description        | Fee Paid        |
|----------|--------|------------------------|-----------------|
| 201      | \$ 355 | Utility filing fee     | \$355. [ ]      |
| 206      | 160    | Design Filing Fee      | [ ]             |
| 207      | 245    | Plant Filing Fee       | [ ]             |
| 208      | 355    | Reissue Filing Fee     | [ ]             |
| 214      | 75     | Provisional Filing Fee | [ ]             |
|          |        | <b>SUBTOTAL</b>        | <b>\$355.00</b> |

**2. CLAIMS**

| Total Claims              | Independent Claims | Extra Claims   | Fee          | Fee Paid |
|---------------------------|--------------------|----------------|--------------|----------|
|                           | [ 10 ]             | - 20** = [ 0 ] | x \$ 9 = [ ] |          |
| Independent Claims        | [ 1 ]              | - 3** = [ 0 ]  | x 40 = [ ]   |          |
| Multiple Dependent Claims |                    | + 135 = [ ]    |              |          |

\*\*or number previously paid, if greater;

**SUBTOTAL** \$00.00

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL**

\$130.00

| SUBMITTED BY         |   | Complete (if applicable) |               |                         |
|----------------------|---|--------------------------|---------------|-------------------------|
| NAME AND REG. NUMBER | Stephen A. Saxe, Ph.D., Reg. No. 38,609 |                          |               |                         |
| SIGNATURE            | Stephen A. Saxe                         | DATE                     | July 10, 2001 | DEPOSIT ACCOUNT USER ID |

JCG76 U.S. PRO  
09/901014  
01/10/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Wei-Sing CHU )  
Serial No.: New--Div. of 09/407,964 ) Examiner: To Be Assigned  
Filed: Herewith )  
For: ULTRASOUND-MEDIATED )  
HIGH-SPEED BIOLOGICAL )  
REACTION AND TISSUE )  
PROCESSING )

**PETITION TO ACCEPT COLOR PHOTOGRAPHS**  
**UNDER 37 C.F.R. § 1.84(a)(2)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants submit three (3) copies of the color photographs (submitted concurrently with all of the formal drawings) which comprise Figures 10A-B, 11A-B and 12A-B of the drawings, in compliance with the provisions of 37 C.F.R. § 1.84(a)(2). Also included is the requisite petition fee set forth in 37 C.F.R. § 1.17(h). In view of the interim waiver that black and white photocopies of the color drawings are no longer necessary, no black and white photocopies of the color photographs are being submitted. It is believed that color drawings are necessary to accurately and completely show the immunological staining and hybridization results of fixed tissue sections of the present invention.

If any additional fees or overpayments are noted, the same should be charged or credited to Deposit Account No. 02-2135. One additional copy of this Petition is enclosed for that purpose.

Respectfully submitted,



Stephen A. Saxe  
Reg. No. 38,609  
Rothwell, Figg, Ernst & Manbeck, P.C.  
555 Thirteenth St., N.W., Suite 701 East Tower  
Washington, D.C. 20004  
Telephone (202) 783-6040

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